

October 25, 2007

The Board of Public Works & Safety met at 4:00 p.m. on the above date in the Meeting Room at City Hall Annex with Mayor Knowles presiding and members Askren and Williams attending. Others attending were Chief Beloit; Comm. Epison; Supt. Givens; Asst. Chief Harms. Attorney Funkhouser; John Lakins and arriving during the meeting, Willie Clark.

Mayor Knowles called the meeting to order by stating members were either mailed or hand carried copies of the minutes of their previous meeting and by asking if there were any corrections or additions. She added if not, she entertains a motion to waive their reading and to approve the minutes as presented.

Board member Williams moved the reading of the minutes be waived and they be approved as presented. Seconded by Board member Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles requested action on the claims presented.

Board member Askren moved the claims presented be allowed for payment. Seconded by Board member Williams.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

\*\*\*\*\*CLAIMS\*\*\*\*\*

Mayor Knowles stated they will now hear the reports of the Departments.

Asst. Chief Harms stated he had Chief Reese just returned the MDA camp, where they learned ways to improve their MDA plan. He added their softball tournament plan was well received and they have suggested that they attend a camp with the kids to help out. He added the closest camp they could attend, next year, would be in Louisville.

Mayor Knowles asked if there were any questions ?

There were none.

Supt. Givens reported the clarifier on the north side is having some problems. He stated it kick in and out and they added oil thinking that may be all it would require, but it appears it may be burned up. He added this is an important piece of equipment, it turns the sludge. He stated he has not had a chance yet, but he needs to find out some prices on either repairing it or having it replaced.

Mayor Knowles asked if SRF funds could possibly pay for that ?

Supt. Givens replied he is not sure, he hasn't gotten that far into things yet. He did not know until just recently that it was burned up.

Mayor Knowles stated if the SRF can pay for it that would close out that loan.

Supt. Givens continued by stating he has brought with him a registration form to attend the 71<sup>st</sup> Annual IWEA Conference in Indianapolis November 12 through the 15<sup>th</sup>. He

added full registration is \$200; it is a great conference and will meet his required contact hours for his license.

Mayor Knowles stated she has no problem with his attending.

Board member Askren moved permission to attend be given along with use of the city credit card and city vehicle. Seconded by Board member Williams.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously. She then asked if there were any questions ?

There were none.

Comm. Epison reported that every five years their certified tech, (for mosquito, pesticide and weed spraying) needs continuing credit hours. He added their tech, Roger Bebout, needs three more credits.

Willie Clark arrived at the meeting.

Comm. Epison continued by stating on November 1, in West Lafayette there is a conference where he can get these credits, and he would also like to send Don Rye with him. He added the cost of the conference is \$270.00 but the deadline is today, so it may be an additional \$50 for late registration.

Board member Williams moved they be permitted to attend and use the city credit card and vehicle. Seconded by Board member Askren.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Comm. Epison stated he does have pictures of the work they have been doing on Mulberry Street, including the pipe bursting that took place today, he will bring them to the next meeting. He added the pipe bursting worked great.

Mayor Knowles asked if there were any questions ?

There were none.

Chief Beloit stated he has no report.

Mayor Knowles asked if there were any questions ?

There were none.

Mayor Knowles stated under Legals, there is the CGB contract. She explained CGB owns the silos on the riverfront and they are willing to gift those to the city.

Board member Williams stated according to the contract, they have a fair market value of \$400,000. He asked if once the city owns the silos, won't they then have control of the riverfront ?

Mayor Knowles replied basically, yes. She added the city will own to the first residence east of Sherburne Park; after they finalize the Bullard property purchase.

Attorney Funkhouser added the Board needs to be aware that the contract is an "as is" contract; meaning the city can not sue CGB for anything having to do with the silos once the contract is signed. He then stated the Mayor may want to look into title insurance before the closing; they say they do have good title though.

Mayor Knowles agreed and added she is sure they do have good title.

Board member Williams moved the contract with CGB for the silos be approved.

Seconded by Mayor Knowles. She then asked if there were any questions ?

Attorney Funkhouser asked if Mrs. Peerman will take care of the title insurance ?

Mayor Knowles asked if he would please take care of that ?

Attorney Funkhouser stated he would.

Mayor Knowles then stated demolition should begin very soon, maybe even tomorrow.

She then stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously.

Mayor Knowles stated in the Audience is John Lakins, with a sewer issue.

Mr. Lakins approached the podium and stated he does not feel his family should have to pay to hook to a sewer that they can not even use. He added it appears that some years ago a city inspector did not do his job properly, as his line is routed directly through his neighbor's yard. He stated it appears to him to be a cover up. He then stated no homeowner in this city should expect their sewer line to go out of the easement. He added he realizes it isn't the fault of this Board, they inherited this problem from previous administrations years ago.

Mayor Knowles stated procedures should have been in place to prevent this, to oversee the construction standards.

Mr. Lakins replied there probably was but the inspector covered it up.

Supt. Givens stated the city did own the lines way back then when Mr. Lakins house was built, the city had nothing to do with it.

Mayor Knowles added the city should have procedures in place for construction/improvements of the streets, the water department, sewer department, etc. She added folks should know that when they are doing construction, the city expects things to be done in a certain way and if they don't, there is a penalty. She then added guidelines are very important.

Supt. Givens added they have construction standards that were approved in 2000.

Mayor Knowles asked if people are aware of what the standards are ?

Supt. Givens replied he thought so.

Mr. Lakins stated when the city annexes and takes in those extra tax dollars, they know nothing about what they are getting - what shape some of that infrastructure is in.

Mayor Knowles added that sometimes things just happen.

Mr. Lakins replied be that as it may, his line is in Mr. Clark's yard.

Supt. Givens stated part of the problem is that when businesses want to tap to the sewer system, they have to come before the Board for permission, residents don't.

Mayor Knowles stated 60 years ago when subdivisions were going up, there was a different process.

Mr. Lakins agreed and added no one checked back then, but somebody had to have inspected things.

Mayor Knowles added part of the problem is that people can tap on and the city is not even aware.

Mr. Lakins stated no homeowner would expect their utilities to leave their yard/easement.

He then asked if he is going to end up needing an attorney ?

Attorney Funkhouser stated he may need to go back to the seller; certain things need to be disclosed when selling a home.

Mr. Lakins stated he just wants it fixed, he doesn't want to cause any problems; he just wants to be able to hook to the city sewer that is 30' away - he just needs it fixed.

Supt. Givens stated he has talked with Mr. Lakins and Mr. Clark numerous times on this situation and feels they should get it all out on the table.

Mr. Lakins stated he is willing to go either direction to hook on, but he does not feel he should foot the whole bill and the tap fee.

Supt. Givens stated he spoke with Mr. O'Risky who will be doing some of the work for them, and he indicated \$75 for the backhoe and then \$75 per hour to dig up the mini main. He added once the main is exposed the city is out of it; they should tap back into the existing line and then tap fee is required.

Mayor Knowles stated the lines are on each others' property with no easement, isn't that a legal issue ? She then added it needs to be fixed correctly.

Mr. Clark stated there is a 6' easement, a utility easement.

Attorney Funkhouser stated he typed up the contract today for this work and Mr. Lakins and Mr. Clark will each pay their for their own work. He added if either party does not complete the work, the city can compel them to do so.

Supt. Givens added Mr. O'Risky indicated he can start next week.

Mr. Lakins stated they will stick to the original plan, no waiving of the tap fee, fix any other issues while they are in there, that is fine with him, he just wants his fixed.

Supt. Givens stated again, once the mini main is exposed Mr. Clark and Mr. Lakins take it over from there; that should solve it all.

Mr. Lakins stated he appreciates everyone's help and yes, he and Mr. Clark can take care of it.

Mayor Knowles replied that she appreciates Mr. Lakins' patience.

Supt. Givens stated he will wait for a call from Mr. Lakins.

Mayor Knowles asked if anyone else in the Audience wished to address the Board ?  
There was no response.

Mayor Knowles asked if there was any Old Business ?

Comm. Epison stated the operating procedures they were to review at this meeting, he would like address at the next meeting.

Mayor Knowles asked if there was any New Business ?  
There was none.

Mayor Knowles stated if there was no further business, she entertains a motion to adjourn.

Board member Askren moved the meeting be adjourned. Seconded by Board member Williams.

Mayor Knowles stated all those in favor of the motion should signify in the affirmative; and following the vote, she reported the motion carried unanimously and adjourned the meeting.

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Rosemary L. Knowles  
Mayor

ATTEST:

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Cristi L. Wolfe  
Clerk-Treasurer